

TYLER DIVISION

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(2007); *Woodford v. Ngo*, 548 U.S. 81, 84 (2006); *Booth v. Churner*, 532 U.S. 731 (2001). The Plaintiff's objections arguing that he should be permitted to proceed with his claims despite his failure to exhaust his administrative remedies lack merit. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court. It is accordingly

ORDERED that the Defendants' motion to dismiss (docket entry #25) is **GRANTED**. It is further

ORDERED that the lawsuit is **DISMISSED** without prejudice. It is finally

ORDERED that all motions by either party not previously ruled on are hereby denied.

So **ORDERED** and **SIGNED** this 5th day of October, 2009.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

LEONARD DAVIS
UNITED STATES DISTRICT JUDGE